

**DEPARTMENT OF SOCIAL SERVICES**

744 P Street, Sacramento, CA 95814



February 11, 2005

Regulation Package #1003-23

CDSS MANUAL LETTER NO. FS-05-01

TO: HOLDERS OF THE FOOD STAMP MANUAL, DIVISION 63

**Regulation Package #1003-23****Effective 1/25/05****Sections 63-300 and 63-504**

This manual letter has been posted on the Office of Regulations Development website at [http://www.dss.cahwnet.gov/ord/FoodStamps\\_618.htm](http://www.dss.cahwnet.gov/ord/FoodStamps_618.htm).

On August 9, 2003, the Governor signed Assembly Bill (AB) 1752 (Chapter 225, Statutes of 2003). AB 1752 contains a provision requiring the State to provide a transitional food stamp benefit program. Under this statute, county welfare departments are required to provide transitional food stamp benefits to households who are terminating their participation in the CalWORKs program without the need to reestablish food stamp eligibility.

On October 9, 2003, the Governor signed AB 231 (Chapter 743, Statutes of 2003). AB 231 requires the State to screen food stamp households for face-to-face interview exemptions upon application and recertification, and to grant such exemptions when appropriate.

As a result of statutory changes, CDSS has a mandate to implement changes in the Food Stamp program as soon as possible by the emergency process.

These regulations align the state regulations with the statutory changes providing transition food stamp benefits and will comply with the provisions of AB 231 by instructing counties to screen household applications for exemptions from face-to-face interviews upon application and recertification, and to grant such exemptions whenever appropriate.

These regulations were heard at the Department's May 19, 2004, public hearing.

**FILING INSTRUCTIONS**

**All new revisions are indicated by a vertical line in the left margin. Revisions shown in graphic screen will continue to be shown in that manner until new revisions are done to those pages.** The attached pages are to be entered in your copy of the Manual of Policies and Procedures. The latest prior manual letter containing Food Stamp Manual changes was FS-04-08.

**Page(s)****Replace(s)**103 and 104  
316 through 318.2Pages 103 and 104  
Pages 316 through 318.2

Attachments

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<b>63-300</b>	<b>APPLICATION PROCESS (Continued)</b>	<b>63-300</b>
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(QR) The CWD at the time of the interview, shall determine which households shall be subject to QR and PB, as specified in Section 63-505.2. Households subject to QR and PB requirements shall be provided with the following at the certification and recertification interviews:

(QR) .411 Written and verbal explanations of QR/PB;

(QR) .412 A copy of the QR 7 report and an explanation of how the report shall be completed and submitted;

(QR) .413 An explanation of the QR verification requirements that the household is responsible for meeting;

(QR) .414 A telephone number (toll-free or a number where collect calls will be accepted from households living outside the local calling area) which the household may call to ask questions or to obtain help in completing the quarterly report.

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.415 The CWD may provide the name of a worker to contact.

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.42 Waiving the Interview (CWD Screening Process)

The CWD shall screen applicants for the need to have face-to-face interviews as part of the application and recertification process. If mutually acceptable face-to-face interview accommodations between the county and applicant/recipient cannot be made, the county shall then evaluate whether the household qualifies for an exemption as specified in Sections 63-300.43 and .44.

.421 A person eligible for an exemption under this section may request a face-to-face interview to establish initial eligibility or to comply with recertification requirements.

.422 Nothing in this section shall limit a county's ability to require an applicant or recipient to make a personal appearance at a county welfare department office if the applicant or recipient no longer qualifies for an exemption or for other good cause.

.43 Waiving the Face-to-Face Interview (No Option)

The face-to-face interview shall be waived if requested by any household which is unable to appoint an authorized representative and which has no household members able to come to the interview because they are 65 years of age or older, or physically disabled and whose members have no earned income. The face-to-face interview shall also be waived if requested by any household which is unable to appoint an authorized representative and lives in a location which is not served by a certification office.

<b>63-300</b>	<b>APPLICATION PROCESS (Continued)</b>	<b>63-300</b>
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.44 Waiving the Face-to-Face Interview (Case-by-case)

The CWD shall waive the face-to-face interview and instead allow a telephone interview on a case-by-case basis for any household which is unable to appoint an authorized representative and which has no household members able to come to the interview because of transportation difficulties or similar hardships which the CWD determines warrant a waiver of the interview. These hardship conditions include, but are not limited to: illness, care of a household member, prolonged severe weather, or work hours which preclude a face-to-face interview, lack of transportation, or living in a rural or remote area. The CWD shall determine if the transportation difficulty or hardship reported by a household warrants a waiver of the interview and shall document in the case file why a request for a waiver was granted or denied.

.45 When the Interview is Waived

The CWD has the option of conducting a telephone interview or a home visit for those households for whom the face-to-face interview is waived. Home visits shall be used only if the time of the visit is scheduled in advance with the household.

Waiver of the face-to-face interview does not exempt the household from the verification requirements, although special procedures may be used to permit the household to provide verification and thus obtain its benefits in a timely manner, such as substituting a collateral contact in cases where documentary verification would normally be provided.

Waiver of the face-to-face interview shall not affect the length of the household's certification period.

There is no limit to how many times a household may be certified based on telephone interviews. However, the case file must be adequately documented each time the face-to-face interview is waived.

.46 Scheduling Initial Application Interviews

The CWD shall schedule all interviews as promptly as possible to ensure eligible households receive an opportunity to participate within 30 days after the application is filed. The special circumstances of the household, including households with working members, must be considered to the extent practicable, when interviews are scheduled. If a household misses its scheduled interview, the CWD shall send the household a Notice of Missed Interview (NOMI). The CWD shall reschedule if the household requests another interview within 30 days of the initial application filed.

<b>63-504</b>	<b>HOUSEHOLD CERTIFICATION AND CONTINUING ELIGIBILITY</b>	<b>63-504</b>
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.1 Certification Periods

The CWD shall certify each eligible household for a definite period of time within which a household shall be certified to receive benefits. At the expiration of such certification period, entitlement to food stamp benefits shall end. Under no circumstances shall benefits be continued beyond the end of a certification period without a new determination of eligibility. See Section 63-504.6 for recertification procedures. CWDs must assign the longest certification period possible based on the predictability of the household's circumstances. The first month of the certification period will be the first month for which the household is eligible to participate. The certification period cannot exceed 12 months, except as specified in Sections 63-504.13 and .14.

Handbook Section 63-504.1(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.

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(QR) Counties may match certification periods with QR reporting cycles. Where possible, CalWORKs shall adjust its redetermination period to coincide with the Food Stamp Program certification period. The food stamp certification period shall not be shortened unless as specified in Section 63-504.15. The certification may be lengthened if it does not exceed 12 months as specified in Section 63-504.16.

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.11 General Requirements for Establishing Certification Periods

- .111 Certification periods shall conform to calendar or fiscal months, except that for initial applications where benefits are prorated, the beginning date of the certification period shall be the date the application was filed with the CWD. At initial application, the first month in the certification period shall generally be the month of application, even if the household's eligibility is not determined until a subsequent month. For timely reapplications and recertifications, the certification period shall begin with the month following the last month of the previous certification period. Households should be assigned certification periods of at least six months except as follows:

- (a) Households with unstable circumstances should be assigned certification periods consistent with their circumstances, but generally no less than three months.
- (b) Households may be assigned one or two-month certification periods when it appears likely that the household will become ineligible for food stamps in the near future.

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<b>63-504</b>	<b>HOUSEHOLD CERTIFICATION AND CONTINUING ELIGIBILITY</b>	<b>63-504</b>
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.12 Section 63-504.12(MR) shall become inoperative and Section 63-504.12(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.

(MR) Additional Requirements for Establishing Certification Periods for Monthly Reporting Households

(QR) Additional Requirements for Establishing Certification Periods for QR Households

.121 Public Assistance and Categorically Eligible Households

Households in which all members are contained in a single Public Assistance (PA) grant, and the food stamp applications are processed jointly as specified in Section 63-301.6, may have their food stamp recertifications, to the extent permitted by regulation, at the same time they are redetermined for PA eligibility.

The certification period shall be established for no longer than 12 months. The CWD shall be permitted to recertify food stamps when the PA redetermination occurs. However, if the PA redetermination and the food stamp recertification cannot be jointly processed, the CWD shall send the household a notice of expiration of its food stamp certification period as specified in Section 63-504.624 and proceed to recertify the household for food stamps in order not to exceed the 12 months. The certification period may be shortened as specified in Section 63-504.14 to keep the time frames on the same schedule.

(a) If a household initially applies jointly for food stamps and PA benefits, a nonassistance classification shall be assigned if the food stamp application is approved prior to the PA determination being made and the certification period shall be assigned in accordance with Section 63-504.122. When the PA application is approved, the household shall be reclassified as public assistance, but the certification period shall remain as originally assigned. (See Section 63-301.7 for additional procedures for PA categorically eligible households.)

.122 Nonassistance Households

All nonassistance households (NA) subject to monthly reporting shall be certified for a period not to exceed 12 months.

<b>63-504</b>	<b>HOUSEHOLD CERTIFICATION AND CONTINUING ELIGIBILITY</b>	<b>63-504</b>
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.123 Changes in Classification

If the household classification changes and Food Stamp Program eligibility is retained, the certification period shall be changed as follows:

- (a) When all members of a currently certified NA household apply for PA benefits, the CWD shall inform the household that it may be recertified for food stamps at the same time its PA eligibility is determined. In order to do so, the household shall submit an application for recertification and have a joint interview in conjunction with the processing of the PA application. If the household agrees to be recertified in accordance with the PA application, the CWD shall provide the household with the application forms (DFA 285-A1 and DFA 285-A2) necessary to recertify the household. If the household is determined to be eligible for PA benefits, a new food stamp certification period shall be assigned in accordance with Section 63-504.121.
  - (1) If the household applying for PA benefits elects not to be recertified for food stamps in conjunction with processing of the PA application, the household's certification period shall remain as originally assigned, unless the CWD determines it is necessary to shorten the certification period in accordance with Section 63-504.14.
- (b) Households which have their PA eligibility terminated shall retain their originally assigned food stamp certification period, unless the CWD determines it is necessary to shorten the certification period in accordance with Sections 63-504.132(d) and 63-504.15.

.13 Transitional Food Stamp Benefits

- .131 If the household receives CalWORKs benefits in the month that CalWORKs eligibility is terminated, the household will receive transitional food stamp benefits for five months after the CalWORKs case closes, unless:
  - (a) The household moves out of state.
  - (b) The household loses CalWORKs or food stamp benefits due to a CalWORKs or Food Stamp sanction.
- .132 Transitional benefits shall be provided from the 1<sup>st</sup> of the month following the last month of participation in the CalWORKs program.



<b>63-504</b>	<b>HOUSEHOLD CERTIFICATION AND CONTINUING ELIGIBILITY</b>	<b>63-504</b>
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- (a) Benefits shall be issued in an amount equal to the allotment received in the last month of CalWORKs eligibility, adjusted for the change in household income as a result of termination in the CalWORKs program.

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Example: A household has increased income in February. Due to the increased income, as of March 31, the household will be terminated from CalWORKs. The transitional benefit would be based on the March food stamp budget minus the CalWORKs payment but not including the new or increased income. April 1<sup>st</sup> would be the beginning of the transitional food stamp period.

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- (b) Households are not required to report changes in their circumstances during the transitional period.
- (c) If a person leaves the household and is approved for benefits in another food stamp household then that person's allotment would be removed from the household and the transitional food stamp benefit amount would be adjusted.
- (d) The CWD shall adjust the food stamp certification period to coincide with the end of the transitional period.

The county shall notify the household of the change in their certification period in accordance with adequate notice provisions as specified in Section 63-504.2. There are no transitional food stamp benefits beyond the five-month benefit period.

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If the household wants to continue to receive food stamp benefits after the transitional benefit period ends, the household must submit an application for regular food stamp benefits.

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- (e) The CWD shall notify the household of the expiration of the transitional benefit period. If transitional food stamp benefits are ending for any reason other than the expiration of the five-month benefit period, the CWD shall provide the household a timely notice of action prior to the termination of transitional benefits.

<b>63-504</b>	<b>HOUSEHOLD CERTIFICATION AND CONTINUING ELIGIBILITY</b>	<b>63-504</b>
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- .14 Section 63-504.14(MR) shall become inoperative and Section 63-504.14(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.

(MR) Additional Requirements for Establishing Certification Periods for Nonmonthly Reporting Households

(QR) Additional Requirements for Establishing Certification Periods for Change Reporting Households

- .141 Section 63-504.141(MR) shall become inoperative and Section 63-504.141(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.

(MR) Nonmonthly reporting households shall be assigned the longest certification period possible based on the predictability of the individual household's circumstances. The certification period shall not exceed 12 months.

(QR) Change reporting and QR households shall be assigned the longest certification period possible based on the predictability of the individual household's circumstances. The certification period shall not exceed 12 months.

- (a) Households shall be certified for one or two months, as appropriate, when the household cannot reasonably predict what its circumstances will be in the near future, or when there is a substantial likelihood of frequent and significant changes in income or household status.

- .142 Certification periods for households consisting of all adult members who are elderly or disabled persons may be certified for up to 24 months, provided household circumstances are expected to remain stable. The CWD shall have at least one contact with these households every 12 months. The contact may be in the form of a telephone interview, an in-office interview or some form of a written report.

- (a) If children are part of a household in which all other adult members are elderly or disabled, the household may be certified for up to 24 months.

- .15 Certification Periods for Households Residing on a Reservation

- .151 Section 63-504.151(MR) shall become inoperative and Section 63-504.151(QR) shall become operative in a county on the date QR/PB becomes effective in that county, pursuant to the Director's QR/PB Declaration.